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Attorneys for Defendant,  
PANDORA MEDIA, INC.

20 UNITED STATES DISTRICT COURT  
21  
22 NORTHERN DISTRICT OF CALIFORNIA

23 TROY YUNCKER, individually and on behalf

24 of itself and all others similarly situated,

25 Plaintiff,

26 v.

27 PANDORA MEDIA, INC.,

28 Defendant.

Case No. CV 11-3113-JSW

**STIPULATION AND PROPOSED  
ORDER ON BRIEFING SCHEDULE  
FOR RESPONSIVE PLEADING**

## STIPULATION

WHEREAS, on September 1, 2011, the Honorable U.S. District Judge Claudia Wilken, to whom this matter was previously assigned, denied Pandora's Motion for Stay;

WHEREAS, on September 13, 2011, Judge Jeffrey S. White issued an Order relating this case to the *In re Google Inc. Android Privacy Litigation* MDL (the “*Google MDL*”), and ordered the parties to appear at the September 23, 2011 Case Management Conference scheduled in that matter;

WHEREAS, on September 14, 2011, this matter was reassigned to this Court for coordination with the *Google MDL*;

WHEREAS, the parties had previously stipulated that if this Court denied Pandora's Motion to Stay, Pandora's responsive pleading would be due 10 court days from this Court's order, thereby setting September 16, 2011 as the date for Pandora to file its responsive pleading;

WHEREAS, before this Court's September 13 Order, Defendant Pandora had requested additional time from Plaintiff to file its responsive pleading;

WHEREAS, Plaintiff agreed to extend Defendant Pandora's time to file its responsive pleading to and including September 30, 2011 and will not agree to any further extensions of time for Pandora to file its responsive pleading to Plaintiff's complaint filed on June 27, 2011, and

WHEREAS, Defendant Pandora intends to seek an Order of the Court at the September 23, 2011 Case Management Conference continuing its time to file a responsive pleading to the Complaint to the same date on which Google is required to file a responsive pleading in the *Google MDL*, and to coordinate the briefing and hearing schedule on those responsive motions. By entering this stipulation, Pandora does not intend to waive its ability to seek such a case management order at the September 23, 2011 CMC;

NOW THEREFORE, Plaintiff has agreed to extend Defendant Pandora's time to file its responsive pleading to and including September 30, 2011 and because the responsive pleading is likely to be a complex motion, the parties met and conferred in order to set longer periods for an opposition and reply as follows:

If Defendant Pandora files a Motion to Dismiss, Plaintiff shall file his opposition on or

1 before November 1, 2011 and

2 Defendant Pandora shall file its Reply, if any, on or before November 23, 2011.

3 The parties will discuss hearing dates at the September 23, 2011 CMC as is convenient  
4 with the Court's schedule.

5  
6 Dated: September 15, 2011

WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP

7  
8 By: /s/ Betsy Manifold  
Betsy Manifold

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10 Attorneys for Plaintiff and the Putative Class

11 Dated: September 15, 2011

FENWICK & WEST LLP

12 By: /s/ Tyler G. Newby  
Tyler G. Newby

13  
14 Attorneys for Defendant  
PANDORA MEDIA, INC.

15 **ORDER**

16  
17 **SO ORDERED** at San Francisco, California this 16th day of September, 2011.

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19  
20 Honorable Jeffrey S. White  
United States District Judge